

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ILDA ARAUJO, LUC HOLIE, and JUBILEE FIRST
AVENUE CORPORATION,

Plaintiffs,

v.

ERIC MACAIRE,

Defendant.

16 Civ. 9934 (PAE) (KNF)

ORDER

PAUL A. ENGELMAYER, District Judge:


At the conference held on September 2, 2020, the Court scheduled a jury trial in this case for January 4, 2021 and set January 11, 2021 as a backup trial date. Counsel have indicated that all parties are available both weeks. Dkt. 172. Counsel are directed to keep those two weeks, and the week of January 18, 2021 available for a trial.

As counsel are aware, given public-safety limitations on the number of jury trials that can be held during the current public health emergency, a trial consistent with the above dates may or may not prove possible. The Court will notify counsel later in the autumn which date has been allocated for this trial by the Board of Judges. Upon the firm selection of a trial date, the Court will schedule a final pretrial conference.

The Court notes that it has a very limited number of jury trials it can conduct this year and is prioritizing criminal trials. However, the Court has ample time on the calendar this year for a bench trial. The Court instructs counsel to confer promptly and notify the Court, in writing, by Monday, September 14, 2020, whether both parties consent to a bench trial in this matter. For avoidance of doubt, if the parties disagree on this point, their letter is not to disclose the different

views of each side, but should merely report that the parties do not both so consent. If the parties elect a bench trial, the Court's staff will contact counsel shortly to schedule trial on a mutually convenient date.

SO ORDERED.


Paul A. Engelmayer
United States District Judge

Dated: September 3, 2020
New York, New York